

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

No. 17-1465

Palantir USG, Inc.

v.

United States

DOCKETING STATEMENT

This Docketing Statement must be completed by all counsel and filed with the court within 14 days of the date of docketing. When the United States or its officer or agency is a party, this Docketing Statement must be completed by all counsel and filed with the court within 30 days of docketing. All questions must be answered or the statement will be rejected.

Name of the party you represent United States

Party is (select one)

☒ Appellant/Petitioner☐ Cross-Appellant☐ Appellee/Respondent☐ Intervenor

Tribunal appealed from and Case No.

U.S. Court of Federal Claims, No. 16-784CDate of Judgment/Order November 10, 2016

Type of Case

Pre-award Bid Protest

Relief sought on appeal

Reversal of Judgment and Injunction

Relief awarded below (if damages, specify)

Court granted Palantir judgment on the supplemented administrative record, and enjoined the Army's award of the contract.

Briefly describe the judgment/order appealed from Court grant Palantir judgment on the final, administrative record and enjoined the Army's award of contract for the Distributed Common Ground System-Army, Incr. 2.

Nature of judgment (select one)

☒ Final Judgment, 28 USC 1295☐ Rule 54(b)☐ Interlocutory Order (specify type)☐ Other (explain; see Fed. Cir. R. 28(a)(5))

FORM 26. Docketing Statement**Form 26****Rev. 10/16**

Name and docket number of any related cases pending before this court plus the name of the writing judge if an opinion was issued.

If none, please state none.

None

Brief statement of the issues to be raised on appeal

Whether the court erred in concluding that Army violated 10 USC 2377, and supplementing record.

Have there been discussions with other parties relating to settlement of this case? ☐ Yes ☒ No If "yes," when were the last such discussions?

☐ Before the case was filed below?

☐ During the pendency of the case below?

☐ Following the judgment/order appealed from?

If "yes," were the settlement discussions mediated? ☐ Yes ☐ No

If they were mediated, by whom?

Do you believe that this case may be amenable to mediation? ☐ Yes ☒ No

Please explain why you believe the case is or is not amenable to mediation.

The protest challenges a solicitation to which other entities submitted proposals.

Provide any other information relevant to the inclusion of this case in the court's mediation program.

I certify that I filed this Docketing Statement with the Clerk of the United States Court of Appeals for the Federal Circuit and served a copy on counsel of record, this

9th day of February, 2017

by: operation of the Court's ECF system

(manner of service)

Domenique Kirchner

/s/Domenique Kirchner

Name of Counsel

Signature of Counsel

Law Firm

United States Department of Justice, Commercial Litigation Branch

Address

PO Box 480, Ben Franklin Station

City, State, ZIP

Washington, DC 20044

Telephone Number

202-307-1111

FAX Number

202-514-8624

E-mail Address

Domenique.Kirchner@usdoj.gov

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